

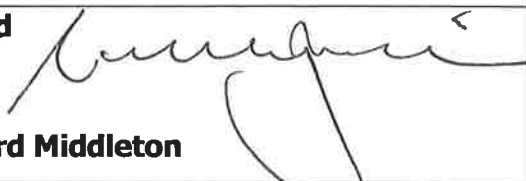
## REGULATION 28: REPORT TO PREVENT FUTURE DEATHS (1)

*NOTE: This form is to be used **after** an inquest.*

	<p><b>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</b></p> <p><b>THIS REPORT IS BEING SENT TO:</b></p> <ol style="list-style-type: none"><li>1. [REDACTED] Highways Department, Bournemouth Borough Council.</li><li>2. Dorset County Council, Highways Department, County Hall, Colliton Park, Dorchester, Dorset, DT1 1XJ</li></ol>
1	<p><b>CORONER</b></p> <p>I am Richard Middleton Assistant Coroner, for the Coroner Area of Dorset</p>
2	<p><b>CORONER'S LEGAL POWERS</b></p> <p>I make this report under paragraph 7, Schedule 5, of the Coroners and Justice Act 2009 and regulations 28 and 29 of the Coroners (Investigations) Regulations 2013.</p>
3	<p><b>INVESTIGATION and INQUEST</b></p> <p>On the 12<sup>th</sup> October 2017, an investigation was commenced into the death of Christopher William Gibbs, born on the 9<sup>th</sup> January 1987.</p> <p>The investigation concluded at the end of the Inquest on the 22<sup>nd</sup> March 2019.</p> <p>The Medical Cause of Death was:</p> <p>1a Head and Chest Injury</p>

	<p>The conclusion of the Inquest was Road Traffic Collision.</p>
4	<p><b>CIRCUMSTANCES OF THE DEATH</b></p> <p>On the 3<sup>rd</sup> October 2017 Christopher Gibbs was cycling home from work along the A338. At approximately 10.15pm he was struck from the rear by a courier van travelling in the same direction and died at the scene from the injuries he sustained in the collision</p>
5	<p><b><u>CORONER'S CONCERNS</u></b></p> <p>During the course of the inquest the evidence revealed matters giving rise to concern. In my opinion there is a risk that future deaths will occur unless action is taken. In the circumstances it is my statutory duty to report to you.</p> <p>The <b>MATTERS OF CONCERN</b> are as follows:</p> <ol style="list-style-type: none"> <li>1. During the inquest evidence was heard that:       <ol style="list-style-type: none"> <li>I. That the A338 road is a main arterial route linking Ringwood to Bournemouth and Poole and is the main route taken by traffic entering from the east of the county to Bournemouth. The road stretches for approximately 10 miles and consists of long straight sections and open sweeping bends. There is no change in the speed limit and no exits off the 10 mile stretch of road.</li> <li>II. The A338 is a dual carriageway. The eastbound and westbound traffic is separated by a solid concrete barrier. There is a maximum speed limit of 70mph. Cyclist are allowed on the carriageway. There is vegetation on either side. There is no highway lighting.</li> <li>III. The driver of the courier van stated that he did not see Mr Gibbs. Mr Gibbs was riding with correct lighting on the front and rear of his bike. Mr Gibbs was correctly positioned in the road as was the driver.</li> <li>IV. Witnesses expressed surprise that in light of such a fast, busy and unlit road there appeared to be little protection to vulnerable road users particularly cyclists.</li> <li>V. The space between the rumble strip marking the edge of the inside lane of the carriageway and the adjoining grass verge contains debris from the road and is an unsafe space to cycle.</li> </ol> </li> <li>2. I have concerns with regard to the following:</li> </ol>

	<p>I. There is no cycle lane on either side of the carriage way.</p> <p>II. There are no warning signs to drivers making them aware of the potential presence of cyclists. Warning signs at the east bound carriageway near the Blackwater junction and westbound carriageway soon after the Ashley Heath roundabout would prompt such consideration by drivers in what would then be an unremarkable 10 mile drive. Such information would hopefully be at the fore front of drivers minds as they commenced this 10 mile section of his/her journey.</p>
6	<p><b>ACTION SHOULD BE TAKEN</b></p> <p>In my opinion urgent action should be taken to prevent future deaths and I believe you and/or your organisation have the power to take such action.</p>
7	<p><b>YOUR RESPONSE</b></p> <p>You are under a duty to respond to this report within 56 days of the date of this report, 20<sup>th</sup> May 2019. I, the coroner, may extend the period.</p> <p>Your response must contain details of action taken or proposed to be taken, setting out the timetable for action. Otherwise you must explain why no action is proposed.</p>
8	<p><b>COPIES and PUBLICATION</b></p> <p>I have sent a copy of my report to the Chief Coroner and to the following Interested Persons:</p> <ol style="list-style-type: none"> <li>1. [REDACTED]</li> <li>2. [REDACTED]</li> <li>3. [REDACTED]</li> </ol> <p>I am also under a duty to send the Chief Coroner a copy of your response.</p>

	<p>The Chief Coroner may publish either or both in a complete or redacted or summary form. He may send a copy of this report to any person who he believes may find it useful or of interest. You may make representations to me, the coroner, at the time of your response, about the release or the publication of your response by the Chief Coroner.</p>	
9	<b>Dated</b>  <b>25<sup>th</sup> March 2019</b>	<b>Signed</b>  <b>Richard Middleton</b>